

and struck out heading and text of former subsec. (c). Text read as follows: “The Secretary of State shall promptly transmit to the designated congressional committees any published report prepared by the United Nations and distributed to the members of the Security Council that contains assessments of any proposed, ongoing, or concluded United Nations peacekeeping operation.”

Subsec. (e). Pub. L. 107-228, § 405(a)(4), redesignated subsec. (f) as (e). Former subsec. (e) redesignated (d).

Subsec. (e)(5)(B). Pub. L. 107-228, § 405(a)(3), added subpar. (B) and struck out former subpar. (B) which related to quarterly reports.

Subsecs. (f), (g). Pub. L. 107-228, § 405(a)(4), redesignated subsec. (g) as (f). Former subsec. (f) redesignated (e).

1999—Subsec. (a). Pub. L. 106-113, § 1000(a)(7) [title VII, § 724(a)(1)], struck out at end “He shall make special current reports on decisions of the Security Council to take enforcement measures under the provisions of the Charter of the United Nations, and on the participation therein under his instructions, of the representative of the United States.”

Subsecs. (e) to (g). Pub. L. 106-113, § 1000(a)(7) [title VII, § 724(a)(2), (b)], added subsecs. (e) to (g) and struck out heading and text of former subsec. (e). Text read as follows: “As used in this section, the term ‘designated congressional committees’ has the meaning given that term by section 415 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.”

1994—Pub. L. 103-236 designated existing provisions as subsec. (a), inserted heading, and added subsecs. (b) to (e).

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (a) of this section relating to reporting to Congress not less than once each year, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 39 of House Document No. 103-7.

CONSULTATIONS AND REPORTS ON UNITED NATIONS PEACEKEEPING OPERATIONS

Pub. L. 103-236, title IV, § 407(a), Apr. 30, 1994, 108 Stat. 448, directed President to consult monthly with Congress on status of United Nations peacekeeping operations, to provide certain information to designated congressional committees on a monthly or interim basis, to notify such committees at least 15 days before the United States would provide assistance to the United Nations to support peacekeeping assistance, and to submit quarterly reports on all such assistance, prior to repeal by Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title VII, § 724(a)(2)], Nov. 29, 1999, 113 Stat. 1536, 1501A-467. See subsec. (e) of this section.

DESIGNATED CONGRESSIONAL COMMITTEES

Section 415 of Pub. L. 103-236 provided that: “For purposes of this part [part A (§§ 401 to 415) of title IV of Pub. L. 103-236, enacting section 2321n of this title, amending this section, enacting provisions set out as notes under this section and section 287e of this title, and amending provisions set out as notes under section 287e of this title], the term ‘designated congressional committees’ means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs [now Committee on International Relations] of the House of Representatives.”

REPORT ON POLICIES PURSUED BY OTHER COUNTRIES IN INTERNATIONAL ORGANIZATIONS

Pub. L. 98-164, title I, § 117, Nov. 22, 1983, 97 Stat. 1022, as amended by Pub. L. 100-204, title VII, § 707, Dec. 22, 1987, 101 Stat. 1390, directed Secretary of State to transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, by Jan. 31 of each year, a report regarding

policies which each member country of United Nations pursued in international organizations of which United States was a member, prior to repeal by Pub. L. 103-236, title I, § 139(27), Apr. 30, 1994, 108 Stat. 399.

§ 287c. Economic and communication sanctions pursuant to United Nations Security Council Resolution

(a) Enforcement measures; importation of Rhodesian chromium

Notwithstanding the provisions of any other law, whenever the United States is called upon by the Security Council to apply measures which said Council has decided, pursuant to article 41 of said Charter, are to be employed to give effect to its decisions under said Charter, the President may, to the extent necessary to apply such measures, through any agency which he may designate, and under such orders, rules, and regulations as may be prescribed by him, investigate, regulate, or prohibit, in whole or in part, economic relations or rail, sea, air, postal, telegraphic, radio, and other means of communication between any foreign country or any national thereof or any person therein and the United States or any person subject to the jurisdiction thereof, or involving any property subject to the jurisdiction of the United States. Any Executive order which is issued under this subsection and which applies measures against Southern Rhodesia pursuant to any United Nations Security Council Resolution may be enforced, notwithstanding the provisions of any other law. The President may exempt from such Executive order any shipment of chromium in any form which is in transit to the United States on March 18, 1977.

(b) Penalties

Any person who willfully violates or evades or attempts to violate or evade any order, rule, or regulation issued by the President pursuant to subsection (a) of this section shall, upon conviction, be fined¹ not more than \$10,000 or, if a natural person, be imprisoned for not more than ten years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation or evasion shall be punished by a like fine, imprisonment, or both, and any property, funds, securities, papers, or other articles or documents, or any vessel, together with her tackle, apparel, furniture, and equipment, or vehicle, or aircraft, concerned in such violation shall be forfeited to the United States.

(c) Steel mill products containing chromium; certificate of origin; regulations; subpoenas; certificate exemption; release from customs custody; definitions

(1) During the period in which measures are applied against Southern Rhodesia under subsection (a) of this section pursuant to any United Nations Security Council Resolution, a shipment of any steel mill product (as such product may be defined by the Secretary) containing chromium in any form may not be released from customs custody for entry into the United States if—

(A) a certificate of origin with respect to such shipment has not been filed with the Secretary; or

¹ So in original. Probably should be “fined”.

(B) in the case of a shipment with respect to which a certificate of origin has been filed with the Secretary, the Secretary determines that the information contained in such certificate does not adequately establish that the steel mill product in such shipment does not contain chromium in any form which is of Southern Rhodesian origin;

unless such release is authorized by the Secretary under paragraph (3)(B) or (C).

(2) The Secretary shall prescribe regulations for carrying out this subsection.

(3)(A) In carrying out this subsection, the Secretary may issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence. Any such subpoena may, upon application by the Secretary, be enforced in a civil action in an appropriate United States district court.

(B) The Secretary may exempt from the certification requirements of this subsection any shipment of a steel mill product containing chromium in any form which is in transit to the United States on March 18, 1977.

(C) Under such circumstances as he deems appropriate, the Secretary may release from customs custody for entry into the United States, under such bond as he may require, any shipment of a steel mill product containing chromium in any form.

(4) As used in this subsection—

(A) the term “certificate of origin” means such certificate as the Secretary may require, with respect to a shipment of any steel mill product containing chromium in any form, issued by the government (or by a designee of such government if the Secretary is satisfied that such designee is the highest available certifying authority) of the country in which such steel mill product was produced certifying that the steel mill product in such shipment contains no chromium in any form which is of Southern Rhodesian origin; and

(B) the term “Secretary” means the Secretary of the Treasury.

(Dec. 20, 1945, ch. 583, § 5, 59 Stat. 620; Oct. 10, 1949, ch. 660, § 3, 63 Stat. 735; Pub. L. 95-12, § 1, Mar. 18, 1977, 91 Stat. 22.)

REFERENCES IN TEXT

Article 41 of said Charter, referred to in subsec. (a), is an article of the United Nations Charter.

AMENDMENTS

1977—Subsec. (a). Pub. L. 95-12, § 1(1), inserted provision permitting enforcement of any Executive order, issued under this subsection, applying measures against Southern Rhodesia and permitting Presidential exemption from that Executive order of any shipment of chromium in transit to the United States on Mar. 18, 1977.

Subsec. (c). Pub. L. 95-12, § 1(2), added subsec. (c).

1949—Subsec. (b). Act Oct. 10, 1949, made aircraft subject to forfeiture.

DELEGATION OF AUTHORITY

Authority of President under this section with respect to blocked funds and other assets of Iraqi Government delegated to Secretary of the Treasury by section 1 of Ex. Ord. No. 12817, Oct. 21, 1992, 57 F.R. 48433, set out as a note under section 1701 of Title 50, War and National Defense.

IMPORTATION OF STRATEGIC AND CRITICAL MATERIALS FROM ZIMBABWE-RHODESIA

Pub. L. 96-107, title VIII, § 818, Nov. 9, 1979, 93 Stat. 818, provided that: “It is the sense of the Congress that the United States should have unlimited access to strategic and critical materials which are vital to the defense and security of the United States and that every effort should be made to remove artificial impediments against the importation of such materials into the United States from Zimbabwe-Rhodesia.”

SANCTIONS AGAINST ZIMBABWE-RHODESIA; REPORT TO CONGRESS

Pub. L. 96-60, title IV, § 408, Aug. 15, 1979, 93 Stat. 405, provided for termination of sanctions against Zimbabwe-Rhodesia by Nov. 15, 1979, unless the President determined and reported to Congress that termination of sanctions would not be in the national interest, with provision authorizing Congress to reject such Presidential determination, prior to repeal by Pub. L. 97-241, title V, § 505(a)(1), Aug. 24, 1982, 96 Stat. 298.

DETERMINATIONS RESPECTING FUTURE ENFORCEMENT OF SANCTIONS AGAINST RHODESIA

Pub. L. 95-384, § 27, Sept. 26, 1978, 92 Stat. 746, which related to enforcement of sanctions against Rhodesia, was repealed by Pub. L. 97-113, title VII, § 734(a)(12), Dec. 29, 1981, 95 Stat. 1560.

SUSPENSION OF AMENDMENT OPERATION BY PRESIDENT; REPORT TO CONGRESS

Section 2 of Pub. L. 95-12 provided that:

“(a) Upon the enactment of this Act [Mar. 18, 1977], the President may suspend the operation of the amendments contained in this Act [amending this section] if he determines that such suspension would encourage meaningful negotiations and further the peaceful transfer of governing power from minority rule to majority rule in Southern Rhodesia. Such suspension shall remain in effect for such duration as deemed necessary by the President.

“(b) If the President suspends the operation of the amendments contained in this Act [amending this section], he shall so report to the Congress. In addition, the President shall report to the Congress when he terminates such suspension.

“(c) If the President suspends the operation of the amendments contained in this Act [amending this section], any reference in those amendments to date of enactment [Mar. 18, 1977] shall be deemed to be a reference to the date on which such suspension is terminated by the President.”

EXECUTIVE ORDER NO. 11322

Ex. Ord. No. 11322, Jan. 5, 1967, 32 F.R. 119, which related to transactions involving Southern Rhodesia, was revoked by Ex. Ord. No. 12183, Dec. 16, 1979, 44 F.R. 74787, set out below.

EXECUTIVE ORDER NO. 11419

Ex. Ord. No. 11419, July 29, 1968, 33 F.R. 10837, which related to trade and other transactions involving Southern Rhodesia, was revoked by Ex. Ord. No. 12183, Dec. 16, 1979, 44 F.R. 74787, set out below.

EX. ORD. NO. 12183. REVOKING RHODESIAN SANCTIONS

Ex. Ord. No. 12183, Dec. 16, 1979, 44 F.R. 74787, provided:

By the authority vested in me as President by the Constitution and statutes of the United States of America, including Section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c), and in order to terminate current limitations relating to trade and other transactions involving Zimbabwe-Rhodesia, it is hereby ordered as follows:

1-101. (a) Subject to the provisions of this order, the following are hereby revoked with respect to transactions occurring after the effective date of this order:

(1) Executive Order 11322 of January 5, 1967 (32 F.R. 119);

(2) Executive Order 11419 of July 29, 1968 (33 F.R. 10837); and

(3) Executive Order 11978 of March 18, 1977 (42 F.R. 15403).

(b) To the extent consistent with this order, all determinations, authorizations, regulations, rulings, certificates, orders, directives, licenses, contracts, agreements, and other actions made, issued, taken, or entered into under the provisions of such Executive orders and not previously revoked, superseded, or otherwise made inapplicable, shall continue in full force and effect until amended, modified, or terminated by appropriate authority.

1-102. (a) The Secretaries of State, the Treasury, Commerce, and Transportation, and the heads of other government agencies, shall retain the authority and responsibility for the enforcement of Executive Orders 11322, 11419, and 11978 with respect to transactions occurring prior to the effective date of this order.

(b) The revocation, in Section 1-101 of this order, of such prior Executive orders shall not affect:

(1) any act done or omitted to be done or any suit or proceeding finished or started in civil or criminal cases prior to the revocation, but all such liabilities, penalties, and forfeitures under the Executive orders shall continue and may be enforced in the same manner as if the revocation had not been made; or

(2) any violation of any rules, regulations, orders, licenses, or other forms of administrative action under those revoked orders during the periods those orders were in effect.

1-103. (a) The Secretaries of State, the Treasury, Commerce, and Transportation, and the heads of other government agencies, shall take the appropriate measures to implement this order.

(b) In carrying out their respective functions and responsibilities under this order, the Secretaries of the Treasury, Commerce, and Transportation, and the heads of other government agencies, shall, as appropriate, consult with the Secretary of State. Each such Secretary and agency head and the Secretary of State shall also consult with other government agencies and private persons, as appropriate.

JIMMY CARTER.

EX. ORD. NO. 12918. PROHIBITING CERTAIN TRANSACTIONS WITH RESPECT TO RWANDA AND DELEGATING AUTHORITY WITH RESPECT TO OTHER UNITED NATIONS ARMS EMBARGOES

Ex. Ord. No. 12918, May 26, 1994, 59 F.R. 28205, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c), the Export Administration Act of 1979, as amended (50 U.S.C. App. 2401 *et seq.*), the Arms Export Control Act (22 U.S.C. 2751 *et seq.*), and section 301 of title 3, United States Code, and in view of United Nations Security Council Resolution 918 of May 17, 1994, it is hereby ordered as follows:

SECTION 1. *Arms Embargo.* The following activities are prohibited, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the effective date of this order, except to the extent provided in regulations, orders, directives, or licenses that may hereafter be issued pursuant to this order: (a) The sale or supply to Rwanda from the territory of the United States by any person, or by any United States person in any foreign country or other location, or using any U.S.-registered vessel or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary police equipment, and spare parts for the aforementioned, irrespective of origin. This prohibition does not apply to activities re-

lated to the United Nations Assistance Mission for Rwanda or the United Nations Observer Mission Uganda-Rwanda or other entities permitted to have such items by the United Nations Security Council; and

(b) Any willful evasion or attempt to violate or evade any of the prohibitions set forth in this order, by any person.

SEC. 2. *Definitions.* For purposes of this order, the term: (a) "Person" means a natural person as well as a corporation, business association, partnership, society, trust, or any other entity, organization or group, including governmental entities; and

(b) "United States person" means any citizen or national of the United States, any lawful permanent resident of the United States, or any corporation, business association, partnership, society, trust, or any other entity, organization or group, including governmental entities, organized under the laws of the United States (including foreign branches).

SEC. 3. *Responsibilities.* The functions and responsibilities for the enforcement of the foregoing prohibitions are delegated as follows: (a) The Secretary of State is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by section 5 of the United Nations Participation Act [22 U.S.C. 287c] and other authorities available to the Secretary of State, as may be necessary to carry out the purpose of this order, relating to arms and related materiel of a type enumerated on the United States Munitions List (22 C.F.R. Part 121). The Secretary of State may redelegate any of these functions to other officers and agencies of the United States Government; and

(b) The Secretary of Commerce, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by section 5 of the United Nations Participation Act and other authorities available to the Secretary of Commerce, as may be necessary to carry out the purpose of this order, relating to arms and related materiel identified in the Export Administration Regulations (15 C.F.R. Parts 730-799). The Secretary of Commerce may redelegate any of these functions to other officers and agencies of the United States Government.

SEC. 4. *Authorization.* All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order, including suspension or termination of licenses or other authorizations in effect as of the date of this order.

SEC. 5. *Delegation of Authority.* The Secretary of State and the Secretary of Commerce in consultation with the Secretary of State are hereby authorized to promulgate rules and regulations, and to employ all powers granted to the President by section 5 of the United Nations Participation Act [22 U.S.C. 287c] and not otherwise delegated by Executive order, as may be necessary to carry out the purpose of implementing any other arms embargo mandated by resolution of the United Nations Security Council, consistent with the allocation of functions delegated under section 3 of this order. The Secretary of State or the Secretary of Commerce may redelegate any of these functions to other officers and agencies of the United States Government.

SEC. 6. *Judicial Review.* Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

SEC. 7. *Effective Date.* This order shall take effect at 11:59 p.m. eastern daylight time on May 26, 1994.

WILLIAM J. CLINTON.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 12 sections 3409, 3413.

§ 287d. Use of armed forces; limitations

The President is authorized to negotiate a special agreement or agreements with the Security